

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
Western Division

Panini America, Inc., )  
                          )  
Plaintiff,            )  
                          )  
v.                    )      Case No. 4:19-cv-00795-HFS  
                          )  
Shad Wing,            )  
                          )  
Defendant.            )

**ORDER**

Plaintiff seeks a temporary restraining order without notice to defendant. (Doc. 7). Notice to a defendant is almost always preferred unless the rights of plaintiff are very clear and delay caused by giving notice will defeat relief or give some unwarranted advantage to a defendant – neither of which is apparent here. The conduct complained of has allegedly been occurring for months, and for weeks after suit was filed.

The request for relief without notice (Doc. 7) is therefore DENIED, without prejudice to further consideration of a temporary restraining order if requested. A conference with counsel for plaintiff and with defendant personally or with his counsel can be scheduled at plaintiff's email or telephonic request, after plaintiff has conferred with defendant about scheduling or given reasonable notice. In the alternative a preliminary injunction hearing would be scheduled on request, when both parties have had an opportunity to be prepared.

/s/ Howard F. Sachs  
HOWARD F. SACHS  
UNITED STATES DISTRICT JUDGE

October 21, 2019  
Kansas City, Missouri